

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

SAMUEL D. EDWARDS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-04-096-KEW
)	
PEPSICO, INC., a North)	
Carolina corporation;)	
PEPSI-COLA COMPANY, a North)	
Carolina corporation;)	
CONOPCO, INC. d/b/a)	
THOMAS J. LIPTON COMPANY,)	
a Virginia corporation;)	
WM. W. MEYER & SONS, INC.,)	
an Illinois corporation;)	
B.W. SINCLAIR, INC., a Texas)	
corporation; LOCKWOOD GREENE)	
ENGINEERS, INC., a foreign)	
corporation; and JANE DOE,)	
a foreign resident,)	
)	
Defendants.)	

O R D E R

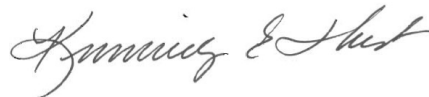
This matter comes before the Court on the Motion for Attorney Fees filed by Holden & Carr on July 2, 2012¹ (Docket Entry #519). The issue of the distribution of the accrued attorney's fees in this case between the law firms of Holden & Carr and Capron & Edwards was remanded to this Court by virtue of the decision of the Tenth Circuit Court of Appeals entered by that court on May 20, 2009. The subject Motion was filed to facilitate the Court's ability to address the issue upon remand.

¹ The document filed by Holden & Carr is actually entitled "Brief on Behalf of Holden & Carr Concerning Attorney Fees." However the Brief was filed as a Motion and considered as such throughout these proceedings.

On September 23, 2013, this Court began an evidentiary hearing on the pending request for attorney's fees with counsel for Holden & Carr and for Capron & Edwards present. Upon resumption of the hearing on September 24, 2013, counsel for both law firms announced that a resolution to the pending Motion and the distribution of the fees had been reached. As a result, the Motion and the issue it addresses is deemed resolved and no further hearing is necessary.

IT IS THEREFORE ORDERED that the Motion for Attorney Fees filed by Holden & Carr on July 2, 2012 (Docket Entry #519) as well as the issues addressed in the remand order of the Tenth Circuit Court of Appeals are deemed **RESOLVED**. This Court retains jurisdiction over this matter until **OCTOBER 24, 2013** for the purpose of enforcing the settlement and addressing any issues related to attorney's fees and costs only. Thereafter, the matter is concluded.

IT IS SO ORDERED this 25th day of September, 2013.



KIMBERLY E. WEST
UNITED STATES MAGISTRATE JUDGE